

ELEMENT 7

FUTURE LAND USE

**9J-5.006
Reference**

Goal 7.1 To direct development to those areas which have in place or have agreements to provide the land and water resources, fiscal abilities and the service capacity to accommodate growth in an economic and environmentally acceptable manner.

Land Development Regulations

Objective 7.1.1 Future growth and development will be managed through the preparation, adoption, implementation and enforcement of land development regulations.

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Policy 7.1.1.1 Sumter County shall maintain land development regulations that shall contain specific and detailed provisions required to implement the adopted Comprehensive Plan, and which as a minimum:

- a. Regulate the subdivision of land
- b. Regulate the use of land and water consistent with this element and ensure the compatibility of adjacent land uses and provide for open space;
- c. Protect the special areas designated on the Future Land Use Map series;
- d. Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
- e. Protect potable water wellfields and aquifer recharge areas;
- f. Regulate signage;
- g. Ensure safe and convenient on-site traffic flow and vehicle parking needs; and
- h. Provide that development orders and permits shall not be issued which result in a reduction of the levels of service for the affected public facilities below the level of service standards adopted in this Comprehensive Plan.

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Policy 7.1.1.2 Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following land use categories, and standards for densities and intensities.

- a. **Agriculture** – The “agriculture” land use classification is applied to land that is primarily used for production of plants and animals useful to humans, including to a variable extent the preparation of these products for human use and their disposal by marketing or otherwise. These uses include aquaculture, horticulture, floriculture, viticulture, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production. The land in this category is suited for livestock and the cultivation of crops, and includes cropland, pastureland, orchards, vineyards; nurseries; ornamental horticulture areas; groves, confined feeding operations specialty farms and silviculture activities. This land use category shall not be located within the urban development area boundary.

Non-residential uses allowable in this category include farm buildings (barns, equipment sheds, poultry houses, stables, other livestock houses, pole barns, corrals, and similar structures) and seasonal roadside produce stands. Small-scale, neighborhood-serving commercial uses may be allowable as a rezoning subject to the provisions in Section 7.1.2.6., and the Land Development Regulations. Commercial uses that directly support agricultural and silvicultural uses may be allowed as conditional uses subject to criteria listed in the Land Development Code. Borrow pits may be allowed as defined in the Land Development Code. Mining is permissible only as a conditional use as delineated in 7.1.11.1

Allowable uses also include community-serving public facilities and infrastructure as special uses.. These include such uses as Government buildings used to conduct business with the public, utilities, schools, parks, houses of worship, auditoriums, emergency facilities, and hospitals. Other potential uses are such conditional uses as are delineated in the Development Code. Public schools are permitted uses as delineated in 7.1.4.14.

Gross density shall be a maximum of 1.0 dwelling unit per 10 acres. However, on parcels of 20 acres or more, the minimum lot size may be one (1) acre, so long as the parcel density is maintained, and all of the following requirements are met:

1. As each lot split is created, the balance of the density requirement (10 acres minus the lot size) shall be rezoned to reflect Agricultural Conservation (AC) classification. This designation shall not be subject to change until the property is brought within an Urban Service Area;
2. Where two or fewer lots are created, no subdivision improvements are required, and access may be provided by a recorded easement;
3. When three to five lots are created, development shall comply with minor subdivision standards and procedures;
4. Where more than five lots are created, clustering of the lots shall be required on a portion of the property free from environmental constraints and the 100 year flood area.
5. Where more than five 1-acre lots are created, subdivision improvements shall be required, according to the subdivision regulations contained in the Sumter County Land Development Code. The subdivision shall conform to the platting requirements of Chapter 177, F.S.
6. (see former 7.1.2.4 (c)) Proposed developments in Agricultural land use areas larger than 100 lots must be designed and permitted as Master Planned Developments utilizing Objective 7.1.5 and its enacting policies.
7. The creation of lots shall be viewed cumulatively, requiring compliance with the relevant subdivision procedures as each threshold is met;
8. Existing, platted subdivisions will continue to be recognized as vested and available for infill development at the historic, platted density, but shall not be eligible for increased density except through a plan amendment; and
9. Development shall not be permitted in wetlands, conservation areas nor within floodways.

Parcels of land less than twenty acres shall maintain a gross density of 1.0 dwelling unit per 10 acres, with a minimum parcel size of ten acres.

It is expected that development will be served by private wells and individual septic systems, except where a community public water supply may be provided to ensure safe potable water. Where potable water is provided by a community public water supply, lines shall be sized for the provision of fire protection, unless fire protection is determined by the County not to be feasible. "Agriculture" lands shall not be in a sewer service area however, on-site treatment facilities may be provided where the County has determined such facilities are necessary for a specified use.

b. Rural Residential means land use is limited to land that is used for or is suitable for residential uses and residential accessory uses. Accessory uses are limited activities that are customary and incidental to residential use, as regulated in the Land Development Code. This land use category may be applied to lands within or outside the urban development area.

Allowable uses may include community-serving public facilities and infrastructure as special uses. These include such uses as government buildings used to conduct business with the public, utilities, schools, parks, houses of worship, auditoriums, emergency facilities, and hospitals. Other potential uses are such conditional uses as are delineated in the Development Code. Public schools are permitted uses as defined in 7.1.3.1 Small-scale, neighborhood-serving commercial uses may be allowable as a rezoning subject to the provisions in Section 7.1.2.15., and the Land Development Regulations.

Gross density shall be a maximum of 1.0 dwelling unit per acre.

c. Low-density residential means land use that is limited to land used for or suitable for residential uses and residential accessory uses. Accessory uses are limited activities that are customary and incidental to residential use, as regulated in the Land Development Code. This land use category

shall be applied to lands within the urban development area.

Allowable uses may include community-serving public facilities and infrastructure as special uses. These include such uses as Government buildings used to conduct business with the public, utilities, schools, parks, houses of worship, auditoriums, emergency facilities, and hospitals. Other potential uses are such conditional uses as are delineated in the Development Code. Public schools are permitted uses as defined in 7.1.3.1. Small-scale, neighborhood-serving commercial uses may be allowable as a rezoning subject to the provisions in Section 7.1.2.15. and the Land Development Regulations.

Gross density shall be a maximum of 2.0 units per acre, subject to the use of central water and sewer. Where those services are not available, the density shall be dictated by Florida Statutes and rules for septic system installation and placement of private potable wells.

- d. Medium-density residential** means land use that is limited to land used for or suitable for residential uses and residential accessory uses. Accessory uses are limited activities that are customary and incidental to residential use, as regulated in the Land Development Code. This land use category shall be applied to lands within the urban development area.

Allowable uses may include community-serving public facilities and infrastructure as special uses. These include such uses as Government buildings used to conduct business with the public, utilities, schools, parks, houses of worship, auditoriums, emergency facilities, and hospitals. Other potential uses are such conditional uses as are delineated in the Development Code. Public schools are permitted uses as defined in 7.1.3.1. Small-scale, neighborhood-serving commercial uses may be allowable as a rezoning subject to the provisions in Section 7.1.2.15. and the Land Development Regulations.

Gross density shall be a maximum of 4.0 units per acre, subject to the use of central water and sewer. Where those services are not available, the density shall be dictated by Florida Statutes and rules for septic system installation and placement of private potable wells.

- e. High density residential** means land use that is limited to land used for or suitable for residential uses and residential accessory uses. Accessory uses are limited activities that are customary and incidental to residential use, as regulated in the Land Development Code. Multi-family dwellings may be located in this land use area. This land use category shall be located within the urban development area.

Small-scale, neighborhood-serving commercial uses may be allowable as a rezoning subject to the provisions in Section 7.1.3.15., and the Land Development Regulations.

Potentially allowable uses also include community-serving public facilities and infrastructure as special uses. These include such uses as Government buildings used to conduct business with the public, utilities, schools, parks, houses of worship, auditoriums, emergency facilities, and hospitals. Other potential uses are such conditional uses as are delineated in the Development Code. Public schools are permitted uses as defined in 7.1.3.1

Gross density shall be a maximum of 6.0 units per acre, subject to the use of central water and sewer. Where those services are not available, the density shall be dictated by Florida Statutes and rules for septic system installation and placement of private potable wells.

Policy 7.1.1.2

f. Mixed Use – This land use category is designed for Development of Regional Impact (DRI) projects or Planned Unit Development projects, and shall be applied only upon approval of a Development Order (DO). This land use will be authorized through a Future Land Use Map amendment processed concurrently with the DRI or PUD application. This category may be applied to lands within or outside the urban development area; however, central water and sewer service shall be available for all development.

Uses are limited to residential, institutional, public uses, commercial, industrial, and recreation according to the approved DO. In mixed use developments in residential or agricultural areas, commercial and industrial acreages combined shall not exceed 12% of any development, except for developments proceeding as a DRI which shall be subject to the intensities approved in the DRI DO. Gross density and intensity and required open space shall be in accord with Policy 7.1.5.3. The impervious surface ratio (ISR) for non-residential uses shall not exceed 80%. A density of bonus of 2.0 units per acre may be allowed pursuant to compliance with policy 7.1.5.4.

Mixed use development must meet the requirements of Chapter 163 FS and 9J-5 FAC, including the limitations on the creation of urban sprawl. Mixed use developments must comply with the requirements for planned unit developments in the Sumter County Land Development Code. However, a Mixed Use development proceeding as a DRI may provide for deviations from Planned Unit requirements in the Land Development Code

g. General commercial includes lands suitable for commercial activity, with access from an arterial or collector road. No residential uses are allowable, except for one residential unit for the owner/operator or night security person. Central water and sewer shall be provided where available. All types of commercial uses are potentially permissible, subject to zoning regulations. General commercial may be located within or outside the urban development area. The floor area ratio shall not exceed 0.5 within the urban development area and shall not exceed 0.3 outside the urban development area.

h. Industrial land uses shall include both light and heavy industrial activities. Heavy commercial activities may be allowed as well, subject to requirements and limitations in the land development code. Land designated for industrial uses shall be suitable for such use and may be located within or outside the urban development area. The lands must have access from an arterial or collector road. Industrial uses have the potential for negative impact on surrounding properties. Therefore these uses must be located with sensitivity to surrounding uses, and may require screening and buffering. Setback distances will be determined by the surrounding uses and the types of activity proposed for the industrial property. Specific uses include communication facilities, light and heavy manufacturing, repair, fabrication, assembly, packaging, processing, wholesale business, warehousing, concrete or asphalt plants, commercial marinas and accessory uses and structures such as docking facilities for loading and unloading of materials. Certain proposed uses may require conditional use permits. Uses involving hazardous materials may be prohibited or may require a conditional use, as determined by the Land Development Code. No residential units are allowable, except for one residential unit for the owner/operator or night security person. Floor area ratio for industrial uses shall not exceed 0.5 within the urban development area and shall not exceed 0.3 outside the urban development area. Industrial development proposed on parcels adjacent to residential use shall proceed require Planned Industrial zoning, except that industrial development proposed on parcels exceeding 50 acres shall be implemented through the PUD Planned industrial zoning.

i. Institutional - This land use category is intended for activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education; structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals and public health facilities, libraries, police stations, fire stations, airports, and government administration buildings; and systems or facilities for public transportation, communications, sewer, drainage, and potable water. This land use category may be applied to lands within or outside the urban development area. The floor area ratio shall not exceed 0.5.

j. Recreation – The “recreation” land use category is intended for lands devoted to public parks, playgrounds, and open spaces serving local, community, and regional needs. This land use category may be applied to lands within or outside the urban development area. Lands set

aside for the private use of residents/owners in planned developments, mixed use areas, or other unified developments are not necessarily designated for recreational land use.

k. Conservation – The “conservation” land use category shall be applied to public land areas that have been acquired for the purpose of conserving, preserving, or managing environmentally sensitive lands. This land use category may be applied to lands within or outside the urban development area.

(3)(c)1 7.1.1.3 Land development regulations shall be maintained which address the location and extent of
(3)(c)7 nonresidential land uses in accordance with the Future Land Use Map and the policies and descriptions of types, sizes, densities and intensities of land uses contained in this element.

(3)(c)1 7.1.1.4 Conversion of agricultural land to a mixed use or residential land use category shall require a
(3)(c)3 land use plan amendment and shall demonstrate the following:
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(5)(j) a. The need for such land use amendment;
(5)(l) b. That the amendment will not result in urban sprawl;
c. A functional relationship of the proposed amendment to other more densely or intensely designated or developed lands;
d. The availability of facilities and services for a more dense or intense land use; and
e. the relationship of the proposed amendment site to the urban development area boundary.

Policy 7.1.1.5 In addition to the general requirements above, developments proposed in agricultural areas wishing to utilize a density option of one unit per five acres may qualify for the additional density as follows:

a. Proposed subdivisions shall be subjected to a weighted evaluation process to determine the degree to which residential developments in the agricultural areas under this policy utilize existing infrastructure, promote open space, conserve natural resources and reduce urban sprawl. Utilizing Map VII-18c, CONSTRAINTS, SUMTER COUNTY, (Urban Sprawl Evaluation Overlay) the process shall consist of the following criteria at a minimum:

1. In order to proceed with development in areas designated as Agriculture on the Future Land Use Map, the development must achieve at least 70 points out of a possible 165 points available as set forth in 2-8 below. Awarding of points shall adhere to the following criteria:

a) Points shall be awarded for only one item in each category except water and sewer which can receive points for both services;

b) Points shall be awarded for additional open space allocations only after a development qualifies for points under at least two of the other categories.

c) Developers may provide for fire service, emergency medical services, water and sewer service in order to achieve sufficient points for development approval. However, approval of one or more of these services for calculation in the weighted evaluation system must result in a level of service at least equal to the service currently provided by the County if a level of service is not specified in the Plan and the level of service required in the Plan for those services with levels of service indicated. In addition, the provision of these services by the developer must be approved by the Board of County Commissioners at the County's option.

2. Proximity to designated urban development areas (UDA). Distance shall be measured along the shortest driving distance on publicly maintained roads from the nearest point on the subject development tract to the Urban Development Boundary.

Allow a maximum of 60 points based on the distance in miles a proposed development is from a designated UDA. Points would be awarded on a sliding scale as follows: .0 - .5 miles (60 points); .51-1.0 miles (50 points); 1.01-1.5 miles (40 points); 1.51-2.0 miles (30 points); 2.01- 2.5 miles (20 points); 2.51-3.0 miles (10 points).

3. Proximity to fire protection. Distance shall be measured along the shortest driving distance on publicly maintained roads from the nearest point on the subject development tract to the nearest responding fire station.

Allow a maximum of 20 points based on response time/distance to nearest responding fire station. Points would be awarded as follows: 0-3 miles (5 minute response)(20 points); 3.1-6 miles (10 minute response) (10 points).

4. Proximity to emergency medical services. Distance shall be measured along the shortest driving distance on publicly maintained roads from the nearest point on the subject development tract to the nearest responding EMS station.

Allow a maximum of 20 points based on response time/distance to nearest responding EMS facility. Points would be awarded as follows: within 3 miles (5 minute response)(20 points); within 6 miles (10 minute response) (10 points).

5. Vehicular access to arterial or collector roads which meet or exceed adopted level of service standards. The development must front and provide access directly onto the arterial or collector road or be directly linked to such road by a paved road or roads not more than 1/4 mile in length.

Allow a maximum of 10 points based on the functional classification of the direct access road to the project. Points would be awarded as follows: Access to an arterial road(s) - 10 points; access to a collector road(s) - 5 points

6. Access and utilization of central water and sewer facilities.

Allow a maximum of 10 points for each service (total of 20 points). Points for utility service may be received by connecting to a publicly owned, private not for profit or PSC franchised system.

7. Proximity to schools.

Allow a total of 10 points. Ten points shall be awarded if the development is located within two miles of a public school and requires no busing under State law as verified by the Sumter County School Board.

b. Any development that proposes densities in Agricultural areas beyond those provided for in these policies must be approved through the plan amendment process, and shall satisfy the following requirements:

1. Additional densities and allocation of land use must be based on projected need utilizing professionally accepted methods, and;

2. The analysis of need must take into account the implications of sprawl, the overall pattern of development in the area and the provision of services and facilities.

c. All subdivisions of land under this policy must provide for water and sewer at the expense of the developer or homeowner and must meet all requirements for on-site disposal systems pursuant to Chapter 10D-6 FAC.

Policy 7.1.1.6: Densities of up to 1 dwelling unit per 3 acre can be achieved by utilizing the Development Point Rating System for development in Agriculture land use category in Sumter County, subject to the following restrictions:

- a. Wetland density transfers shall not exceed 50% of the total units allowed.
- b. Points cannot be used where gained by location criteria alone. At least 25% of the points must pertain to site or development standard enhancements for any points to be effective.
- c. 1 du per 10 acres is currently allowed under Sumter County's Land Development Regulations and Comprehensive Plan. A total of 20 points will need to be earned before an increase in density can be achieved.
- d. Points cannot be used where gained by site enhancement and/or development standards alone. At least 5% of the points must pertain to location criteria for any points to be effective
- e. Dedication of public facilities (fire, schools, EMS) will achieve points only where the dedication and proposed facilities are approved and accepted by the relevant public entity.
- f. Proposed developments must be located on or no further than ¼ mile from a collector or arterial roadway. Any proposed development will be required to make any access and road improvements necessitated by the development. A traffic study done by a consultant for Sumter County will be paid for by the developer, and will form the basis for determining the need for access or roadway improvements.

Development Point Rating System for development in Agriculture land use category in Sumter County

1.	Innovative Design	
a.	Pervious Driveways	2
b.	Preservation of Native Vegetation within 100 year floodplain	2
c.	No Disturbance of 100 year flood plain	5
d.	Buffer from development to public owned conservation lands or water of the state	
1.	150' buffer	5
2.	100' buffer	3
3.	50' buffer	2
e.	Use native vegetation in landscaping – Florida Friendly	2
f.	Buffers for wetlands	
1.	75'	5
2.	50'	3
3.	35'	2
g.	Wetland enhancements	5
h.	Dedication of Natural Area for Preservation (uplands only)	
1.	35%	20
2.	25%	15
3.	10%	5
i.	Preservation of existing hydrological patterns	5
j.	Upland habitat enhancement to maintain a viable population of designated species	10

k.	Contributes to expansion of an existing wildlife corridor	10
l.	Enhancement of protection of historic/archeological sites (including cemeteries)	5
m.	Proximity to or creation of public park	
	1. Within ½ mile	5
	2. Dedication of land and/or facilities that meet County's L.O.S. and open to general public	5
	3. Dedication of environmentally sensitive land that is suited for passive recreation	3
<u>n.</u>	Provision of Affordable Housing	
	1. 20% of units are moderate, low, or very low	10
	2. 15% of units are moderate, low, or very low	7
	3. 10% of units are moderate, low, or very low	5
	4. 5% of units are moderate, low, or very low	2
o.	Vehicular access to Collector or Arterial road with LOS "C" average daily trips or better	
	1. Directly adjacent	10
	2. Within ½ mile	5
p.	Potable Water Supply	
	1. Within existing public water supply franchise area or creation of franchise area	10
	2. Central System	7
	3. Private Wells	0
q.	Sanitary Sewer Service	
	1. Available from existing public or private utility, or creation of private utility	10
	2. Central System	7
	3. Innovative Septic System	5
	4. Septic System	0
r.	Irrigation Water	
	1. Grey Water	10
	2. Surface Water	5
	3. Surficial Aquifer	2
	4. Potable Water	0
s.	Fire Protection (more than one option can be used)	
	1. Within a fire district with a rating of 7 or better and within 5 miles of a station	7
	2. Dedication of land / or facilities to meet requirements of the project	6
	3. Within fire district having a 7 or better rating and greater than 5 miles from station	5
	4. Within fire district having a rating of 8 or 9 and within 3 miles of a fire station	4
	5. Installation of Fire Hydrants or Installation of a Fire Well meeting approval of Fire Chief	5
t.	EMS Protection	
	1. Within 5 miles of EMS facility	5
	2. Dedicate land and/or facilities for EMS	3
	3. Greater than 5 miles and less than 8 miles	

	from facility	2
4.	Greater than 8 miles and less than 10 miles from facility	1
u.	School Proximity	
1.	Within 1 mile of existing school facility	5
2.	Dedication of site to satisfy the requirements of the Sumter County School District	3
3.	Within 2 miles of an existing school	2
v.	Roads within project (roads must meet County maintained standards)	
1.	Roads maintained by private entities	5
2.	Roads maintained by public entities	0
w.	Residential Options (mobile home type structures prohibited)	
1.	Single family detached complying with Energy Star criteria	5
2.	Single family attached meeting Energy Star criteria	3
3.	Single family detached	2
y.	Tree preservation of trees with caliper of 24" or greater	
1.	Preservation of 100%	5
2.	Preservation of 50%	3
3.	Preservation of 25%	2

(5)(j) Policy 7.1.2.1 Urban sprawl is not a desirable development pattern. It shall be discouraged and/or reduced through the following techniques:

- a. the use of the appropriate designation of land for future land uses on the Future Land Use Map;
- b. the establishment of an urban development boundary;
- c. policies regarding provision, location, and expansion of urban services and facilities;
- d. policies regarding conversion of agricultural and rural lands to urban uses;
- e. encouraging appropriate infill development;
- f. encouraging redevelopment; and
- g. encouraging the reuse of existing facilities.

(5)(j) Policy 7.1.2.2 An urban development area is established and depicted on the Future Land Use Map. The urban development area boundary encompasses those lands within Sumter County that are, or are expected to become, urban. Sumter County shall direct growth to the Urban Development Areas. The Future Land Use categories required to be located within the urban development area boundary are LDR, MDR and HDR. The AG Future Land Use categories shall not be located within the urban development area boundary. All other Future Land Use categories may be located inside or outside the urban development area boundary. Within the urban development area, urban services, including central water and central sewer are expected to be provided as they become available. Outside of the urban development area, urban services are not generally provided, except that a community water system may be necessary to ensure safe potable water and proper water resources management.

Policy 7.1.2.3 Consideration of expansion of the urban development area boundary shall require demonstration of the following issues, if applicable:

- a. additional land is required at urban densities and intensities to meet the needs of development within Sumter County;
- b. lands within the existing urban development area are not capable or suitable for the type of urban development proposed, with the resulting need for additional land to meet the existing need for urban development;
- c. population growth projections have changed with a resulting need for additional land at urban densities or intensities;

- d. changes in the economy, lifestyle, housing styles, or development expectations result in a need for additional land at urban densities or intensities;
- e. facilities and services are available or planned to be available concurrent with development to meet the needs of the expanded urban development area;
- f. expansion of the urban development area does not result in a negative impact on environmentally sensitive lands or natural resources;
- g. other lands are proposed for removal from the urban development area, resulting in no net change in the amount of additional land to be designated within the urban development area to maintain an adequate supply of urban land.

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Policy 7.1.2.4. Where central water or sewer are not available, water and sewer facilities shall be provided in accordance with the provisions of Chapter 64E-6 FAC. However, the use of wells, septic tanks or package treatment plants in these areas shall be considered a temporary measure and connection to central public facilities shall be required if available by either a municipality, a private not for profit utility, Sumter County or an Urban Service District created by Sumter County and operated by Sumter County or another entity.

Policy 7.1.2.5 Land acquired by the State, Federal or County government or water management district for conservation purposes shall be placed into the Future Land Use classification in the next regularly scheduled Comprehensive Plan amendment.

Residential Development

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Policy 7.1.2.5 Residential neighborhoods shall be designed to include an efficient system of internal circulation, including the provision of collector streets to feed traffic onto external arterial roads and highways.

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Policy 7.1.2.6. Subdivisions utilizing new roads shall be designed to provide individual lot access to the internal street system, and lots along the periphery shall be buffered from major roads and incompatible land uses.

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Policy 7.1.2.7 New residential structures or substantial improvements thereto within the 100 year flood plain must place the level of the lowest habitable floor one foot above the base flood elevation. A structure is substantially improved when the square footage of an addition is 25% or more than the existing structure, or when the value of the improvement is 15% or more of the value of the existing structure.

Policy 7.1.2.8 New construction or substantial improvements of any commercial, or industrial must have the lowest floor elevated one foot above the base flood elevation. In lieu of being elevated, structures may be floodproofed. A registered professional engineer or architect must certify that the building construction is sufficient to withstand hydrostatic and hydrodynamic loads and the effect of buoyancy.

Policy 7.1.2.9. Creation of individual parcels of land by sale, gift, testate or in testate succession, out of a lawful parcel of record at time of adoption of this plan, between the owner(s) and his or her lineal descendant(s) or ascendant(s) shall be allowed without regard to density restrictions of this plan, provided, however, only one parcel may be created hereunder for each, lineal descendant or ascendant of the property owner, provided such parcels be used for single family residential purposes only, and subject to other applicable laws and County regulations.

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Policy 7.1.2.10 Residential developments of more than dwelling units 150 within an Urban Development Area or 100 dwelling units outside an Urban Development Area, shall proceed as Planned Unit developments, which require central sewer and central water.

- (3)(c)3 Policy 7.1.2.11 Developments that propose 200 or more residential dwelling units whether the total development or an individual phase) shall be required to provide recreation facilities appropriate to the area.

Commercial Development

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(3)(c)4 Policy 7.1.2.12 Commercial developments utilizing linear stretches of arterial and collector road frontage shall be required to incorporate access management techniques, which may include limitations on the number of curb cuts consistent with the road frontage, or interconnections between uses.
- (3)(c)4 Policy 7.1.2.13 All commercial and industrial developments shall provide areas of sufficient size to accommodate all parking and traffic circulation requirements on-site. Parking requirements shall be provided in accordance with existing land development regulations.
- (3)(c)1 Policy 7.1.2.14. Recreational Vehicle Parks may be allowed in residential and commercial land use areas within the Urban development area, as regulated in the Land Development Code. Recreational Vehicle Parks outside the UDA shall be permitted only as Unit Planned Developments in the Mixed Use land use category, and developed subject to Planned Unit Development zoning requirements. Central water and central sewer are required in RV parks.
- (3)(c)1 Policy 7.1.2.15 Neighborhood commercial uses may be applied to land suitable for small scale commercial activity and shall comply with the following development requirements.
1. Neighborhood commercial uses may be permitted in residential areas as a rezoning to Neighborhood Commercial (CN).
 2. Neighborhood commercial shall be defined as a shopping facility comprising no more than two stories, not exceeding 20 feet in height and no more than 15,000 square feet of gross leasable area (GLA).
 3. The commercial facility shall front on a paved and publicly maintained road no more than 1000 feet from an arterial or collector road.
 4. Uses allowed shall be limited to retail uses which maintain and preserve the neighborhood character. Specific uses and requirements shall be delineated in the land development code.

Industrial Development

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(3)(c)7 Policy 7.1.2.16. Industrial locations shall be provided along railroad corridors and the I-75 corridor (especially near interchange locations) on sites that have no environmental constraints or have provided mitigation for those constraints through existing or proposed public services and utilities. Other locations may be considered for industrial uses upon a showing of suitability and need.
- (5)(h) Policy 7.1.2.17 The amendment of the comprehensive plan to convert land to the industrial land use category shall be based on the following criteria:
- a. a demonstrated need for additional industrial land
 - b. a demonstration that the need for industrial land cannot be met by existing industrial sites; and
 - c. a demonstration that the necessary facilities and services are available to support industrial land use
- Policy 7.1.2.18 The Lee Capital Limited Partnership (LCLP) Industrial Park shall adhere to following standards:
- a. The LCLP project is an Industrial Park that includes a functional integration of industrial, warehousing, manufacturing and supporting commercial and office uses. The project shall utilize CR 219 and SR 44 as access points and shall provide the necessary screening and buffering to ensure compatibility between adjacent land uses.
 - b. The maximum industrial square footage within the amendment area shall not exceed 2,500,000 square feet of industrial uses. The maximum amount of commercial and office support uses shall not exceed 300,000 SF but must be limited as such so that the LCLP

Industrial project as a whole does not exceed the DRI threshold described below in section (c).

c. The proposed development shall not exceed the DRI threshold as defined in Chapter 28-24, Florida Administrative Code and therefore will not require review under Chapter 380, Florida Statutes. The development shall proceed as a planned development at which time the location of the uses listed in section (a) shall be determined.

d. Impacts to environmental systems shall be avoided wherever feasible. Any impacts to environmental systems shall be properly mitigated as required by Sumter County and the Southwest Florida Water Management District. All mitigation shall be on site.

Community Facilities and Schools

(3)(b)1 **Objective 7.1.3 Community facilities such as houses of worship, private schools, community centers and day-care centers and utilities may be allowed in all land use categories as special uses. Specific locational criteria and other site design standards shall be maintained in the Land Development Regulations.**

Policy 7.1.3.1 Public schools shall be allowed as permitted in the following land use categories:

- a. All Residential Land Uses;
- b. Public, Institutional, Educational;
- c. Agriculture, if within one mile of an Urban development area;
- d. Any land use category except Conservation where the proposed site is contiguous to existing public schools or public facilities

Policy 7.1.3.2 Sumter County shall encourage to the extent possible the location of new public schools based on the following criteria:

- a. Within one mile of residential areas, particularly for elementary schools.
- b. Within one half mile of existing or planned public facilities, such as parks, libraries and community centers.
- c. Location of middle (junior) and primary (elementary) schools along local or collector streets. (Safety)
- d. Location of senior high schools near arterial streets. (Accessibility)
- e. Avoidance of school siting in environmentally sensitive areas.
- f. Avoidance of school siting in any area where the nature of existing or proposed adjacent land uses would endanger the safety of the students or decrease the effective provision of education.
- g. Avoidance of school siting in any area where the proposed school facility would be incompatible with surrounding land uses.
- h. Location on lands contiguous to existing school sites.

Agriculture

(3)(a) **Objective 7.1.4 It is the objective of Sumter County to foster the agricultural economy of the County, to safeguard rural and agricultural areas from intrusion of incompatible uses, to provide for a rural lifestyle, and to safeguard farming activities. In order to accomplish this objective while still allowing appropriate conversion of agricultural lands to other uses, the following policies are established.**

Policy 7.1.4.1 It is not the intention of Sumter County to mandate the preservation of agriculture through government regulation, but to provide areas of the County where agriculture and rural land uses can exist.

(3)(c)2 Policy 7.1.4.2 In the assignment of land use categories on the Future Land Use Map, the County shall separate incompatible residential, commercial, industrial, and public facilities and activities from agricultural areas.

(3)(c)2 Policy 7.1.4.3 Non agricultural uses that locate adjacent to agricultural operations shall provide

- (5)(j)3 sufficient buffering to protect the agricultural operation from nuisance complaints. The buffering shall be sufficient to mitigate agricultural operations including but not limited to spraying, odors, dust and noise.

Policy 7.1.4.4 Sumter County shall adhere to the “right to farm” privileges contained in Chapter 823.14 Florida Statutes (1991).

(3)(c)7

Policy 7.1.4.5 The County shall adopt land development regulations that include performance criteria and standards for intensive agricultural operations such as animal feeding operations and dairies, in order to ensure protection of natural systems.

- (3)(c)2 Policy 7.1.4.6 The County shall adopt land development regulations that encourage a rural lifestyle, consistent with the agricultural character of the County. Such regulations shall address the following:
(3)(c)4
(5)(j)1

- a. maintaining wooded buffers along County and State roads in order to preserve the scenic character of rural roads;
- b. maintaining natural or wooded buffers adjacent to environmentally sensitive lands;
- c. encouraging clustering of dwellings in agriculture and rural residential land use areas through such measures as shared access drives, zero lot lines, or density bonuses as an incentive to clustering;
- d. requiring minimum open space for subdivisions in agriculture and rural residential land use areas; and
- e. requiring that allowable development be located on the least sensitive portion of the site, considering natural resources and environmentally sensitive lands.

- (3)(c)1 Policy 7.1.4.7 The County shall consider the development of a “landowner compact” alternative for
(3)(c)7 the planning and development of lands within the agriculture and rural residential land use areas.
(5)(l) The landowner compact allows abutting landowners to develop a site plan of their combined properties without respect to the legal property lines. The development of the landowner compact alternative shall ensure that maximum open space is preserved, that agricultural activities are protected, that scenic roads are protected, and that allowable development is clustered to the maximum extent feasible. The landowner compact shall be implemented through a joint agreement executed by all parties. In the consideration of the landowner compact alternative, the County shall consider the use of density bonuses or other incentives to encourage the use of the landowner compact alternative.

- (5)(l) Policy 7.1.4.8 The County shall develop a “density exchange alternative” in the land development regulations whereby allowable density on specified agricultural lands is developed on designated residential lands. The following principles shall guide the development of the density exchange alternative:

- a. Lands eligible for protection through density exchange shall be:
 1. located no more than one mile outside the Urban Development Area, and
 2. parcels designated for agriculture land use
- b. Lands eligible for additional development through density exchange shall be:
 1. designated for rural residential land use, and
 2. located inside the Urban Development Area.
- c. Rural residential lands eligible for additional development shall be allowed a density increase up to 100% of the base density as defined in the Future Land Use categories.
- d. Agriculture lands from which density is exchanged shall be rezoned to “Agricultural Conservation” and the Future Land Use Map shall be amended to designate such parcels as “Agricultural Conservation”.
- e. The exchange of density shall be recorded through a joint agreement between the affected property owners. The exchange shall be shown in approved development orders issued by the County for affected properties.

- (3)(b)10 **Objective 7.1.5. Sumter County shall maintain a Planned Unit Development (PUD) ordinance to provide for flexible and innovative development techniques.**

Policy 7.1.5.1 The PUD ordinance shall allow the development of land as a planned community, using flexible concepts of site design and planning to preserve the natural amenities of the land and encouraging scenic and functional open areas to accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of conventional zoning districts.

- (3)(b)10 Policy 7.1.5.2 The PUD ordinance shall provide for flexible lot sizing and setback requirements, landscaping and design criteria, and roadway design. The types of uses, densities and intensities of development and open space requirements shall be set out in the land development code.

- (3)(c)7 Policy 7.1.5.3 Planned Unit Developments may be allowed any land use area inside the UDA. Outside the UDA, a master planned development shall require a Mixed Use land use category. The following densities and open space requirements shall be as follows:

	Standard Densities or Intensities	Minimum Open Space (% of gross)
Residential PUD's Inside UDA	As allowed in underlying land use	25%
Commercial/Industrial PUD's Inside UDA	.5 FAR	25%
Commercial/Industrial PUD's Outside UDA	.3 FAR	35%
Mixed Use PUD's inside UDA	8 units per acre	25%
Mixed Use PUD's outside UDA	4 units per acre	50%

- (3)(c)5 Policy 7.1.5.4 All PUD's shall provide for central potable water and sanitary sewer facilities
(3)(c)7 at the developer's expense and provide for fire hydrants and fire flow within the development in accordance with the National Fire Protection Association standards.

Policy 7.1.5.5. PUD's shall be required to cluster development in order to preserve open space area and to protect and enhance environmentally sensitive areas. Open space areas shall allow active and passive recreational facilities. However, where limited access by humans is necessary for the conservation of listed species, that area may still be counted towards required open space acreage. Common open space versus privately held open space shall be conveyed to a public agency or to a non-profit organization, including homeowners associations, established for the purpose of owning and managing such lands.

- (5)(j)11 Policy 7.1.5.6. Mixed use developments, single family residential developments of more than 150 dwelling units within an Urban Development Area or 100 dwelling units outside an Urban Development Area shall be developed as a PUD.

- (3)(c)5 Policy 7.1.5.7 PUD's that are also Developments of Regional Impact (DRI's) shall only be subject to the square footage ratios and phasing as provided for in the approved DRI Development Order.

Compatibility

- (3)(b)3
(5)(g)
(5)(j)
- Objective 7.1.6 Land uses (both general land use categories and zoning districts as well as individual uses or activities or structures housing those uses) should be consistent with the character of the neighborhood or community. Toward this end, uses that are inconsistent with the neighborhood or community character shall be reduced or eliminated over time.**

- (3)(c)2
- Policy 7.1.6.1 Compatibility of proposed projects with adjacent land uses, buildings, structures, and developments and with the surrounding neighborhood shall be achieved through the following measures:
- a. Ensuring that new residential development is compatible with the predominant housing type in the surrounding neighborhood;
 - b. Ensuring that structures for residential and non-residential development are compatible with the predominant features of the surrounding neighborhood as defined by building orientation, building setbacks, building heights, and general building style or type;
 - c. Maintaining and/or complementing the fundamental development pattern of the surrounding neighborhood by proposed development, considering lot area, lot dimensions, and lot configuration, as well as the pattern and spacing of lots and buildings;
 - d. maintaining similarity in density of residential development, intensity of non-residential development, and scale and mass of buildings; and
 - e. ensuring consistency of the size, design, and location of site design features such as landscaping, buffers, fences or walls, signs, parking lots and vehicle use or circulation systems, pedestrian circulation systems, and site amenities or accessory structures (such as pools, storage buildings, and the like).

- (3)(c)2
(5)(g)
(5)(j)
- Policy 7.1.6.2 Compatibility determinations shall be included in the review and approval of both new development and redevelopment; however, for redevelopment of blighted areas, compatibility alone will not negatively affect the review.

- (3)(c)2
- Policy 7.1.6.3 The County may consider or require any or all of the following techniques used in a proposed development to wholly or partially mitigate incompatible impacts:
- a. variable buffers, combining land and landscaping to achieve adequate separation of uses, appropriate open space, reduction of potential noise, light, glare, and/or pollution, and screening of physical features of a proposed development;
 - b. variable setbacks, based upon degree of difference in proposed density, intensity, scale, mass, or height;
 - c. placement and effective screening or shielding of site features such lights, signs, dumpsters, loading areas, parking areas, outdoor storage, or other features with potential negative impacts;
 - d. effective transitions of on-site densities, intensities, scale, mass, or height; and
 - e. other innovative site design features that effectively achieve compatibility and effectively mitigate potential negative impacts.

- (3)(c)2
(5)(g)
(5)(j)
- Policy 7.1.6.4 Compatibility of adjacent zoning districts shall be considered during rezoning and land use plan amendments, considering potential maximum densities, intensities, and consistency of the potential land uses with surrounding districts, and the manner in which the land uses on the FLUM and the zoning districts result in the compatible transition of uses, densities, and intensities. The use of design techniques such as buffering, screening and open spaces shall be considered to assure the compatible transition between differing land uses and zoning districts.

- (3)(c)2 Policy 7.1.6.5 Compatibility of redeveloped sites and structures with the surrounding
(5)(g) neighborhood shall be achieved through the following measures:
- a. ensuring that residential development is compatible with the predominant housing type in the surrounding neighborhood to the maximum extent possible;
 - b. recognizing that the redevelopment of an existing building may make it infeasible to adhere to current standards for building heights, scale, mass, setbacks, and orientation, the project shall nevertheless ensure that the development recognizes the predominant features of the surrounding neighborhood to the maximum extent possible;
 - c. maintaining the established lot development pattern of the surrounding neighborhood through requirements that address land assembly, lot arrangement, lot area, lot dimensions, and lot configuration;
 - d. ensuring that proposed conversions of residential structures to an allowable non-residential use are consistent with the established or planned character of the neighborhood, and do not introduce instability into the neighborhood; and
 - e. ensuring that techniques identified in this objective and its associated policies are incorporated into the site design during redevelopment to the maximum extent feasible.

Non-conforming Uses

- (3)(b)3 **Objective 7.1.7. The County shall maintain in its Land Development Regulations, specific criteria to eliminate or reduce uses that are inconsistent with the Future Land Use Plan and map.**

- (3)(c)1 Policy 7.1.7.1 Land uses shall be permitted in accordance with the land use map designations and the policies of this plan.

Policy 7.1.7.2 Uses that are inconsistent with the Future Land Use map and are vested pursuant to Policy 7.1.7.3. shall be considered nonconforming uses. Such uses shall remain and be allowed to continue in their function in accordance with the following:

- a. Maintenance, such as painting, reroofing, wiring and internal repairs and remodeling shall be permitted in accordance with lawful permit requirements;
- b. Expansion of existing development onto adjoining property shall not be allowed;
- c. If fire or natural disasters destroy or render the structure unusable, the land use shall be allowed to rebuild to the size and intensity/density allowed under the vesting pursuant to Policy 7.1.7.3.
- d. If a vested nonconforming use becomes vacant and remains continuously vacant for one year, the use shall lose its vesting. Future permitting for the property shall be in accordance with the Future Land Use Plan and map. This provision will not apply, however, to a structure whose use is limited by its design. Those structures will remain vested for similar or less intense uses for the useful life of the structure.

Vested Rights

Policy 7.1.7.3. Upon adoption of this Plan, Sumter County shall ensure that existing rights of property owners are preserved in accordance with the constitutions of the United States and the State of Florida. The following provisions shall guide the principles of statutory and common law vesting.

- a. Statutory vesting is defined in Subsection 163.3167 (8), Florida Statutes, and gives the property owner the right to complete any development that has been authorized, prior to Plan adoption date, as a Development of Regional Impact, pursuant to Chapter 380, F.S. or has been issued a final local Development Order and development has commenced and is continuing in good faith on the date of Plan adoption.
- b. Common law vesting may exist when an applicant proves that the owner of a project or parcel of land, acting in good faith upon some act or omission of the County that occurred prior to the Plan adoption date, has made a substantial change of position or has incurred such extensive obligations or expenses that it would be highly inequitable and unjust to destroy the right to

develop or to continue development of the property.

- c. An administrative procedure by which a property owner may demonstrate that property rights are vested under the above provisions shall be provided by the County.

- (3)(c)7 Policy 7.1.7.4 An exception to the densities required in the Future Land Use element shall be allowed for all non-contiguous parcels of record under one ownership as of the date of adoption of this plan. If a landowner owns contiguous parcels, these parcels must be aggregated to meet the minimum density requirements of the Future Land Use Map and Plan. The owner of a parcel requiring an exemption to the density requirements of the Plan may construct one single-family residential unit. Exceptions allowed under this Policy apply to density only and do not exempt parcels from any other requirements of this Plan. This Policy does not apply to subdivisions which are vested under the provisions of this Plan and its implementing regulations. For purposes of this Policy, contiguous parcels mean parcels with at least one common property boundary. Parcels which have common property lines but which are separated by unplatted roads or streets which have been dedicated for public use or prescriptive easements for road right of way purposes shall be considered non-contiguous parcels.

Concurrency

- (3)(b)1 **Objective 7.1.8. Sumter County shall insure that adopted levels of service are maintained.**

- (3)(c)3 Policy 7.1.8.1. The development of residential, commercial and industrial land shall be timed and staged in conjunction with provision of supporting public facilities, such as streets, utilities, police and fire protection service, emergency medical service, and public schools.

- (3)(c)3 Policy 7.1.8.2. No development permit shall be issued unless public facilities that meet the level of service standards of this plan are available as follows:
 - a. The necessary public facilities and services are in place at the time a development permit is issued; or
 - b. A development permit is issued subject to the condition that necessary facilities and services will be in place when the impacts of development occur; or
 - c. The necessary facilities are under construction at the time a permit is issued; or
 - d. The necessary facilities and services are guaranteed in an enforceable development agreement that includes provisions of a) through c) above; or
 - e. The necessary public facilities and services are included in the County's adopted five-year Capital Improvements Program and are projected to be available concurrent with the impacts of development, provided that only those projects scheduled for completion within the first three years of the five-year program are used for concurrency determination.

Policy 7.1.8.3. All development in areas without central water and sewer services shall be governed by the provisions of Section 381.272, F.S. (1991), regulating on-site sewage disposal systems and Chapter 10D-6, F.A.C. (1991), which regulates the installation of individual sewage disposal systems.

Policy 7.1.8.4. Sumter County shall adopt as part of this plan the Concurrency Management System attached as Appendix A to this Plan.

Policy 7.1.8.5 The adoption of comprehensive plan map amendments, when the application and approval thereof are based upon lower levels of development intensity than allowable for the land use category, shall require approval of a master plan and memorandum of agreement between the developer and the Board of County Commissioners.

- a. Upon adoption, an overlay shall be placed upon the Future Land Use Map to indicate that the subject parcel is limited in development potential and make referral to the Future Land Use Element policies specific to that development.

Utilities

(3)(b)9 **Objective 7.1.9. Sumter County shall utilize Policies 7.1.8.1. through 7.1.8.3. to ensure adequate land is available for utilities necessary to support proposed development. These policies shall be implemented through the County's Land Development Regulations.**

(3)(c)3 Policy 7.1.9.1. Public utilities needed to provide essential services to existing land uses and such future land uses as are authorized by other plan elements of the Sumter County Comprehensive Plan or to such future land uses as may be lawfully authorized by the County shall be provided for in all of the land use classifications when such use conforms to County codes and ordinances.

(5)(j)6 Policy 7.1.9.2. The County shall require developers to assess their needs regarding essential services (electric, gas, etc.) and the developer shall seek confirmation of future availability from appropriate utility suppliers. Confirmation shall be provided by the utility to the County Division of Planning and Development during the planning stages of development but no later than the issuance of a development permit.

Policy 7.1.9.3. The Sumter County Division of Planning and Development shall maintain close contact with public utilities that provide essential services to assure continuity and availability of service.

Natural Resources

(3)(b)4 **Objective 7.1.10 Sumter County shall preserve and conserve unique and environmentally sensitive lands and resources from development or developmental impacts. The County shall maintain land development regulations to implement preservation and conservation during the land development process.**

(3)(c)1 Policy 7.1.10.1 Adherence to the objectives and policies in Element 3, Conservation concerning
(3)(c)6 development near the Withlacoochee River, Lake Panasoffkee, and other areas of environmental concern shall be observed in land development practices and procedures.

(3)(c)4 Policy 7.1.10.2. The developer/owner of any site shall be responsible for the on-site management of stormwater runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

(3)(c)6 Policy The County shall require that all developments of more than 20 dwelling units or 15,000 square feet of non-residential space shall identify and protect habitats of protected wildlife and vegetative species. Sumter County shall require appropriate mitigation for protected species which shall use guidelines and protocols prepared by the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service.

Mining

(3)(b)4 **Objective 7.1.11. Sumter County shall insure compatibility of mining activities with adjacent land uses and protect natural and historic resources from mining impacts.**

(3)(c)1 Policy 7.1.11.1. Mining uses shall be provided for in areas designated as agriculture on the Future Land Use Map and shall be permitted upon approval of a conditional use permit and approval of an operating permit pursuant to a mining site plan as provided for in the Land Development Regulations. The following guidelines shall be used to control land allocation for mining:

- a. All mining lands permitted pursuant to these policies must be adjacent to existing legally permitted mine sites with no intervening non-compatible uses. Lands proposed for mining that are not adjacent to an existing permitted mine site shall require a plan amendment prior to approval of zoning and the mining plan.
- a. Allocation of mining land use shall be based on a projected average need of 100 acres per year or a total of 1,000 acres during the ten year time period of the Plan and may be permitted

pursuant to the goals, objectives and policies of the Plan as needed up to 1,000 acres. Allocation of mining land use above this projected need shall require a Plan amendment.

- b. For purposes of determining the amount of mining land permitted, the Board of County Commissioners shall issue a finding with each operating permit that clearly delineates the amount of land dedicated to the actual mined area plus ancillary uses such as processing plants, overburden piles, roads, administrative offices and other buildings necessary for the actual mining of land. Areas allocated for wetlands, buffers and other lands required in the application to insure compatibility with adjacent land uses or protection of resources shall not be counted toward the ten-year allocation of land for mining purposes.
- c. To ensure that an equitable balance among applicants is maintained in allocation of mining land, the following criteria shall apply:
 - 1. Within each calendar year, no individual mining operation shall receive more than 10% of the ten year allocation;
 - 2. No individual mining operation shall receive more than 25% of the ten year allocation within any five year period;
 - 3. Any land allocation requirement for mining purposes larger than those indicated in 1-2 above shall require a plan amendment.

(3)(c)2 Policy 7.1.11.2. Sumter County shall insure compatibility of mining uses with adjacent land uses and preservation of natural resources through the following requirements:

- a. Sumter County shall regulate mining activities to control buffer areas, maintenance of the mining area, groundwater withdrawals, unpermitted deposition of materials, soil stabilization, disturbance of wetlands, noise, vibration, air quality, security and reclamation of mined lands pursuant to Sumter County Ordinance 90-12 (1990).
- b. Blasting shall be regulated pursuant to regulation of the State of Florida.
- c. Enforcement of mining regulations shall be funded through operating permit fees levied against mining operators.

(3)(c)8 Policy 7.1.11.3. Prior to issuing mining plan approval, archeological and historical sites shall be identified and preserved in accordance with the procedures established by the State Division of Archives, History and Records Management pursuant to Chapter 267 F.S.

Policy 7.1.11.4. Proposed mining operations shall identify and protect habitats of protected wildlife and vegetative species occurring on the tract of land that contains the mining operation.. The County shall require that mitigation for protected species shall be carried out using guidelines and protocols prepared by the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service.

Historic Resources

(3)(b)4 **Objective 7.1.12. Sumter County shall preserve and protect the historic resources of the County.**

(3)(c)8 Policy 7.1.12.1. Prior to issuing a development permit, Sumter County shall determine if the development site or structure is listed on the Florida Master Site File, List of Sumter County Historic Resources. If the development contains any resource(s) listed on the Master Site File, a clearance letter is required from the Division of Historic Resources prior to any development proceeding on the site.

(3)(c)8 Policy 7.1.12.2 The County shall maintain files of identified historic and archaeological resources as they become known.

(3)(c)8 Policy 7.1.12.3. Residential subdivisions of land involving more than twenty (20) lots and nonresidential development projects of 15,000 square feet or larger must request a letter of clearance from the Division of Historical Resources to determine the possibility of paleolithic and other historic sites and the need for additional surveys. Those developments that are determined to potentially contain archaeological or historic sites must perform site surveys to determine if actual resources exist and the potential impact to these resources. Regional resources must be protected

pursuant to the responsibilities of the Division of Historical Resources under Chapter 267.061 F.S.

- (3)(c)8 Policy 7.1.12.4. Sumter County shall assist property owners of historically significant housing in applying for and utilizing state and federal assistance programs

(3)(b)4

Wellfields and Aquifer Recharge

Objective 7.1.13. Sumter County shall protect potable water wellfields and aquifer recharge areas from adverse impacts of development.

- (3)(c)6 Policy 7.1.13.1 Adherence to the objectives and policies in Element 4, Utilities concerning water wellfield protection and aquifer recharge shall be observed in land development practices and procedures.

Neighborhood Redevelopment

- (3)(b)2 **Objective 7.1.14. Sumter County shall continue to address the redevelopment and renewal needs of blighted areas.**

Policy 7.1.14.1. Areas identified as blighted shall be targeted for improvement through State and Federal assistance programs as follows:

- a. Areas of blighted housing will be targeted by the rehabilitation/demolition efforts of the Sumter County Housing Advisory Board.
- b. Renewal of blighted areas other than housing will be addressed through the County Administrator's Office using the CDBG/Community Revitalization program and other available resources.

Hazardous Waste

- (3)(b)6 **Objective 7.1.15. Sumter County shall insure that the air, water, vegetative and human resources of the County are protected from environmental damage resulting from the generation, storage, transfer, treatment or disposal of hazardous or biohazardous waste and petroleum contaminated soil.**

- (3)(c)2 Policy 7.1.15.1. Large quantity generators of hazardous waste may be permitted as a conditional use in the industrial land use category.

Policy 7.1.15.2. Locations and operations for the storage, transfer, treatment or disposal of hazardous or biohazardous waste and petroleum contaminated soil shall be a conditional use in the industrial or agricultural land use categories.

- (3)(c)2 Policy 7.1.15.3. Separation distances between existing schools, residential development, surface water bodies or public water supply wells and facilities that store, transfer, treat or dispose of hazardous or biohazardous waste and petroleum contaminated soil shall be required based on the magnitude and methods of such facilities.

Policy 7.1.15.4. Site and location requirements addressing flood plains, access to arterial and collector roads, on site buffers and setbacks and parcel size and coverage shall be made.

Policy 7.1.15.5. Enforcement of regulations for the storage, transfer, treatment or disposal of hazardous or biohazardous waste and petroleum contaminated soil shall be funded through operating permit fees levied against the operators of such activities.

Sector Plans

Objective 7.1.16. - Upon adoption of this objective and associated policies, Sumter County, shall utilize a Sector Planning Study Program where appropriate. The program shall be designed to provide a comprehensive analysis of a specified area of the County which can be used to guide the timing, location, type and amount of future development. The Sector plan resulting from the sector planning study program is to serve as a bridge between the general nature of the Comprehensive Plan and the specific nature of the land development regulations for the Sector Plan area.

Policy 7.1.16.1. - Sector planning studies shall be required for all Developments of Regional Impact and for other areas as designated by the Board of County Commissioners. Such areas may include, but are not necessarily limited to highway corridors, interstate interchanges, areas of rapid growth or land use changes and areas of sensitive environmental resources. Upon completion of sector planning studies and adoption of a Sector Plan by the Board of County Commissioners, development within the Sector Plan area shall be pursuant to such adopted Sector Plan and the Comprehensive Plan.

Policy 7.1.16.2. - Sector Planning Studies shall address the following issues, if applicable:

- a. The following systems, services and resources will be identified, inventoried and evaluated:
 1. Environmental systems. Native habitats, rare and endangered species, drainage, soils analysis, water quality, air quality, hurricane and other disaster preparedness, historical and archaeological resources.
 2. Community services. Potable water, sanitary sewer, solid waste services, emergency services, education facilities, recreation facilities and open space, health care facilities.
 3. Transportation. Thoroughfare planning, impact areas, capital improvements planning, hurricane evacuation, access management, level of service, pedestrian and bicycle circulation.
 4. Land use. Generalized land uses, zoning, residential development potential, retail trade area analysis, and affordable housing needs.
- b. The level of service for each facility to serve traffic, water, sewer, drainage, solid waste and recreation needs shall be established for existing development, if applicable, and for future development.
- c. Specific standards shall be established for the protection of natural resources, including listed species and natural habitat.
- d. The types of land uses, the gross densities and intensities of land use and the percentage distribution among the mix of land uses for the development shall be established.
- e. Specific measures for initiating development within each phase shall be established (e.g. 50% of a phase must be developed before proceeding to the next phase).
- f. As the Sector Plan is implemented by phases, interim land use activities for undeveloped land must be identified.

Policy 7.1.16.3. - The level of analysis conducted in Sector Plan studies shall include the existing and projected conditions, major findings/recommendations, conditions to be imposed for approval of the Sector Plan, and recommended future land use plan map and time frame for Sector Plan

implementation.

Policy 7.1.16.4. - Sector Plans may be initiated by either a private interest or by a public agency. Sector Plans proposed by a private interest shall only include those lands over which the applicant(s) maintains control, either through fee simple or other legal interest. Public agency initiated Sector Plans must have an area designated by the Sumter Board of County Commissioners pursuant to public input and a recommendation from the Sumter County Local Planning Agency.

Policy 7.1.16.5. - Sector Plans that are also DRI's shall be processed and reviewed as Master Planned Developments. Unless otherwise specified by law, public hearings to consider the DRI/PUD shall be conducted simultaneously to reduce time and cost to the county and the developer.

Policy 7.1.16.6. - Approval of the Sector Plan shall provide for the following conditions to be imposed on the existing Comprehensive Plan:

- a. Changes to comprehensive plan policies and future conditions maps to implement the Sector Plan shall be incorporated into a comprehensive plan amendment for the next available cycle of the County. If the Sector Plan is also a DRI, the plan amendments may be processed concurrently with the DRI application.
- b. If the Sector Plan is also a DRI and processed as a PUD, the Sector Plan may provide for deviations from PUD requirements in the Land Development Regulations.
- c. For Sector Plans processed as a PUD, the Comprehensive Plan Amendment to designate the development as a PUD on the FLUM must be accompanied by a text amendment that establishes the types of land uses, the percentage distribution of land uses and maximum residential densities and nonresidential intensities of land use for the PUD. The text amendment shall also provide specific measures for initiating development within each phase of the project, if appropriate, and identify interim land use activities for undeveloped land

Policy 7.1.16.7 The Villages of Sumter Development of Regional Impact constitutes The Villages of Sumter Sector Plan and serves as the data and analysis for the Comprehensive Plan. The area addressed by the Sector Plan is identified as "The Villages of Sumter PUD" on the FLUM and is subject to the following:

- a. The Villages of Sumter PUD is a mixed use retirement community that includes a functional integration of residential, retail, office, attraction, hotel, institutional, marina and recreation uses and supporting infrastructure (e.g. roads, water, sewer, etc.). The planning timeframe for the development begins in 2002 through buildout in 2020. The maximum residential density for the project is 5.4 residential units per net residential area as applied throughout the project and the non-residential land use intensity shall not exceed .5 Floor Area Ratio (FAR), except for Town Centers. Town Centers shall not exceed 3.0 FAR. Phasing for the project is based on development units (e.g. residential units, non-residential square footage and recreational facilities) and is approximately divided into five year increments, but may proceed more quickly than projected. Interim land use activities for undeveloped land include farming, silviculture, peat mining and cattle and buffalo husbandry provided such activities are not in conflict with the Wildlife Habitat Management Plan approved by the FFWCC for The Villages of Sumter DRI. The mix of uses and distribution of uses as a percent of the entire PUD acreage are as follows:

Residential	30% to 55%
Commercial: Including Retail, Office, Hotel Convention/Performing Arts Center and Theater	2% to 6%
Institutional/Educational % Range	.3% to 2%

Recreation:	Including Regional and Village Recreation Centers, Golf Courses and Marinas.	5% - 30%
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This policy does not guarantee the approval of development orders which are in accordance with the percent distribution of acreage mix. The approval of development orders shall be consistent with this policy and other comprehensive plan goals, objectives, policies and future conditions maps.

- b. Amendments to the PUD: Amendments to a DRI/FQD through the Notice of Proposed Change process pursuant to s. 380.06(19), FS, shall not require a plan amendment provided the change does not include the addition of land, a new use and is otherwise consistent with the comprehensive plan. Changes to a DRI Development Order adopted by Sumter County shall be reflected in the PUD Master Plan.
- c. The Application for Development Approval, sufficiency responses and DRI Development Order for The Villages of Sumter DRI provide the supporting data and analysis for the PUD land use designation on the FLUM.
- d. The Villages of Sumter DRI Development Order ensures consistency of The Villages of Sumter PUD land use designation on the FLUM with the goals, objectives, policies and future conditions maps of the Sumter County Comprehensive Plan.
- e. The Villages of Sumter DRI Development Order transportation conditions ensure consistency of The Villages of Sumter PUD land use designation with the Traffic Circulation Element by requiring a coordination of land uses and transportation facilities needed to maintain the adopted level of service standards.
- f. The Sumter County Comprehensive Plan Future Transportation Map series reflects the roadway facilities needed to maintain the adopted level of service standards. The Traffic Circulation Element Future Transportation Map series shall be amended as necessary to reflect roadway improvements necessary to maintain the adopted level of service standards based on future transportation monitoring/modeling studies required in The Villages of Sumter DRI Development Order. Capital projects for which the County accepts fiscal responsibility shall be incorporated into the Capital Improvements Element through a comprehensive plan amendment.
- g. If the Developer desires to abandon any part or all of a DRI, it must do so pursuant to Rule 9J-2.0251, FAC (Abandonment of Development Orders). Simultaneously with filing for abandonment, the Developer shall file for a Comprehensive Plan Amendment removing the property sought to be abandoned from the Sector Plan and PUD designation on the FLUM. The PUD designation on the FLUM shall be amended according to the Abandonment Development Order and Comprehensive Plan Amendment issued by the County and approved by FDCA.

Policy 7.1.16.8 The Tri-County Villages Development of Regional Impact constitutes The Tri-County Villages Sector Plan and serves as the data and analysis for the Comprehensive Plan. The area addressed by the Sector Plan is identified as “The Tri-County Villages PUD” on the FLUM and is subject to the following:

- a. The Tri-County Villages PUD is a mixed use retirement community that includes a functional integration of residential, retail, office, attraction, hotel, institutional and recreation uses and supporting infrastructure (e.g. roads, water, sewer, etc.). The planning timeframe for the development runs through buildout in 2014. The maximum residential density for the project is 5.4 residential units per net residential area as applied throughout

the project and the non-residential land use intensity shall not exceed .5 Floor Area Ratio (FAR). Phasing for the project is based on development units (e.g. residential units, non-residential square footage and recreational facilities) and is approximately divided into five four-year increments, but may proceed more quickly than projected. Interim land use activities for undeveloped land include farming, silviculture and cattle and buffalo husbandry provided such activities are not in conflict with the Wildlife Habitat Management Plan approved by the FFWCC for The Tri-County Villages DRI. The mix of uses and distribution of uses as a percent of the entire PUD acreage are as follows:

Residential		% Range 40% to 60%
Commercial:	Including Retail, Office, Hotel Convention/Performing Arts Center and Theater	2% to 8%
Institutional/Educational		.3% to 2%
Recreation:	Including Regional and Village Recreation Centers and Golf Courses.	5% - 30%

This policy does not guarantee the approval of development orders which are in accordance with the percent distribution of acreage mix. The approval of development orders shall be consistent with this policy and other comprehensive plan goals, objectives, policies and future conditions maps.

- b. Amendments to the PUD: Amendments to a DRI/FQD through the Notice of Proposed Change process pursuant to s. 380.06(19), FS, shall not require a plan amendment provided the change does not include the addition of land, a new use and is otherwise consistent with the comprehensive plan. Changes to a DRI Development Order adopted by Sumter County shall be reflected in the PUD Master Plan.
- c. The Application for Development Approval, sufficiency responses and DRI Development Order for The Tri-County Villages DRI provide the supporting data and analysis for the PUD land use designation on the FLUM.
- d. The Tri-County Villages DRI Development Order ensures consistency of The Tri-County Villages PUD land use designation on the FLUM with the goals, objectives, policies and future conditions maps of the Sumter County Comprehensive Plan.
- e. The Tri-County Villages DRI Development Order transportation conditions ensure consistency of The Villages of Sumter PUD land use designation with the Traffic Circulation Element by requiring a coordination of land uses and transportation facilities needed to maintain the adopted level of service standards.
- f. The Sumter County Comprehensive Plan Future Transportation Map series reflects the roadway facilities needed to maintain the adopted level of service standards. The Traffic Circulation Element Future Transportation Map series shall be amended as necessary to reflect roadway improvements necessary to maintain the adopted level of service standards based on future transportation monitoring/modeling studies required in The Tri-County Villages DRI Development Order. Capital projects for which the County accepts fiscal responsibility shall be incorporated into the Capital Improvements Element through a comprehensive plan amendment.
- g. If the Developer desires to abandon any part or all of a DRI, it must do so pursuant to Rule 9J-2.0251, FAC (Abandonment of Development Orders). Simultaneously with filing for abandonment, the Developer shall file for a Comprehensive Plan Amendment removing the property sought to be abandoned from the Sector Plan and PUD designation on the FLUM. The PUD designation on the FLUM shall be amended according to the Abandonment Development Order and Comprehensive Plan Amendment issued by the County and approved by FDCA.

Policy 7.1.16.9 - The quantity of aquifer recharge will be protected within sector plans by adherence to the following:

- a. Stormwater management systems shall be designed to maintain historic levels of aquifer recharge.
- b. Impervious surface restrictions in Sector Plan site plans shall be consistent with maintaining historical recharge levels while providing design flexibility in developments that utilize regional stormwater management facilities.
- c. Sector Plans will use the drainage facility design standards utilized by the SWFWMD in 40D-4, F.A.C.

Policy 7.1.16.10 – The evaluation of impacts to transportation systems required by Policy 7.1.16.2.a.3 must be transmitted as soon as practical after receipt of the analysis by the County to all jurisdictions within which significant and adverse impacts are projected to occur and to all agencies that have planning, funding or operational responsibilities for such transportation systems.

OBJECTIVE 7.1.17 Wetlands perform a variety of functions, (including flood/stormwater storage, removal of contaminants, enhancement of esthetic values, nutrient cycling and maintenance of plant and animal communities) that are beneficial to the residents of Sumter County. Sector Plans are typically large mixed-use projects and are developed under the provisions of an overriding master development plan. Therefore it is appropriate that special requirements are provided to insure that Sumter County protects significant positive functions provided by wetlands within Sector Plans while at the same time providing flexibility in the development plan.

Policy 7.1.17.1 All land within Sector Plans shall be surveyed to identify and classify as to type, size, function and condition all wetlands on site. Limits of jurisdictional wetlands must be established and accepted by appropriate agencies prior to final site plan approval by Sumter County. In addition, a survey of the wetlands to determine the presence of nesting or reproductive habitat for any state or federally listed plant or animal species must be conducted.

Policy 7.1.16.2 Every Sector Planning Study must include a map showing all wetlands identified on the site that identifies the size, type and condition of all wetlands existing on the site. Prior to final site plan approval, all wetlands and associated buffers and all mitigation requirements approved by the Southwest Florida Water Management District (SWFWMD) and/or other appropriate agency (such as the Fish and Wildlife Conservation Commission in instances where nesting or reproductive habitat for listed species is found) must be identified and referenced in the final development order.

Policy 7.1.16.3 Upland buffers adjacent to protected wetlands provide habitat for many species and protection from deleterious effects of development adjacent to the wetland. Wetlands identified in Sector Plan areas must be buffered by an upland buffer of a minimum of 15 feet with an average width of 25 feet unless an Environmental Resource Permit or other management plan approved by SWFWMD provides otherwise.

Policy 7.1.16.4 Sumter County will regulate wetlands within the Sector Plan areas in order to protect and sustain their functions and values while at the same time allowing reasonable use of the property that will have no unmitigated adverse impact on wetland functions. Development shall be directed away from wetland areas as much as practical consistent with the avoidance and minimization processes accepted by SWFWMD. However, if

wetland areas are impacted, the impacts must be appropriately mitigated. The following framework will be used to evaluate proposed wetland mitigation:

- A. Mitigation projects must take into consideration the type, quality, location, and size of the wetlands being impacted.
- B. The County shall accept mitigation required by the SWFWMD for impacts that occur within Sector Plan areas.
- C. Creation, Enhancement and Restoration projects proposed as mitigation shall be evaluated based on the type, quality, size, and location of the wetlands being impacted.

Overlay Zones

Objective 7.1.17 Sumter County shall maintain consistency between the Comprehensive Plan and Future Land Use Map amendments where development is approved at less than the maximum allowable density or intensity.

Policy 7.1.17.1 Sumter County shall use Overlay zones on the Future Land Use Map to indicate land use areas where, through master planning and/or memorandums of agreement development is approved only at density or intensity levels less than the maximum allowable generally for the underlying land use category. The legend shall indicate that further information relating to the property is available in the Future Land Use Element.

Policy 7.1.17.2 The project shall be identified by unique number. Each project approved subject to an overlay zone shall be specifically referenced in an appendix to the Future Land Use Element in an individual policy. The policy shall set forth the maximum densities, intensities, types of uses, and acreage as approved during the plan amendment and approval process. The policy shall include case numbers or similar notations directing to the master plan or memorandum of agreement for that project.

Appendix A: Overlay Projects Indicated on the Future Land Use Map

04-1: Power Corporation:

Dwelling Units: Maximum of 486 units
Commercial Square Footage: Maximum of 20,000
Required Open Space: Minimum of 25%
Project Acreage: 90.65

04-2: Jamie & Janet Zito et al

Underlying land use: Mixed Use
Dwelling Units: Maximum of 68 short term units
Commercial Square Footage: Maximum shall not exceed 200,000 square feet of retail commercial development including a high turnover restaurant, and a 350 room hotel (60,000 square feet), or the equivalent in PM peak hour trip generation (776 new external trips per the Traffic Impact Analysis included in the plan amendment)
Required Open Space: Minimum of 25%

04-3: Peterson et al:

Underlying land use: Medium Density Residential
Dwelling Units: Maximum of 200 units on Medium Density Residential
Commercial Square Footage: N/A
Required Open Space: N/A
Project Acreage: 60 acres

04-4: Lake Andrew Preserve:

Underlying land use: Commercial and Low Density Residential
Dwelling Units: Maximum of 76 units
Commercial Square Footage: Maximum of 390,000 square feet of commercial development and 210,000 square feet of office space, or the equivalent in PM peak hour trip generation (1423 new external trips per the Traffic Impact Analysis included in the plan amendment application)
Required Open Space: N/A
Project Acreage: 60 acres Commercial, 38 acres Low Density Residential